

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FG HEMISPHERE ASSOCIATES,
LLC,

Plaintiff,

v.

DEMOCRATIC REPUBLIC OF CONGO
et al.

Defendants.

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Civil No. **PJM 22-cv-2369**

MORANDUM OPINION AND ORDER

On September 5, 2023, the Court granted Plaintiff's Motion for Writ of Attachment Before Judgement. ECF No. 3. It now considers the amount of the bond to be set in connection with the attachment before judgment. Defendants have requested a bond in the amount of \$4,600,000. ECF No. 40. Plaintiff contends that an appropriate bond amount is \$50,000. ECF No. 43.

The amount requested by Defendants, \$4,600,000, will not be awarded. Defendants have provided no legal authority or factual support to justify that amount, nor have they shown that damages in that amount have been or will be incurred as a result of the attachment. On the other hand, the Court believes that a total bond of \$50,000 for four properties, as suggested by Plaintiff, is unreasonable. The Court has determined instead that a bond of \$50,000 for each of the four properties in issue, a total of \$200,000, is appropriate.

Accordingly, a bond of \$50,000 as to each of the four properties, for a total of \$200,000, shall issue. The Court therefore **GRANTS** Defendants' Motion for Proposed Bond for Writ of Attachment Before Judgment, **BUT ONLY** to the extent of \$50,000 for each of the four properties in issue, for a total bond of \$200,000.

Plaintiff's Counsel is directed to draft and submit four Writs of Attachment, one for each of the four properties in issue, consistent with the Court's findings above and following the format of the sample Writ of Attachment appended hereto.

It is so **ORDERED** this 18 day of October, 2023.



/s/
PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

ATTACHMENT

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

United States of America,

Plaintiff,

v.

Patrick Britton-Harr, Provista Health, LLC, AMS Onsite, Inc., Britton-Harr Enterprises, Inc., Coastal Laboratories, Inc., and Coastal Management Group, Inc.,

Defendants.

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CIVIL NO. 1:23-cv-01921-ELH

WRIT OF ATTACHMENT

To: Patrick Britton-Harr
640 Geneva Place
Tampa, FL 33606

An application for a Prejudgment Writ of Attachment against the property of Tombstone Holdings, LLC (Tombstone), 251 Little Falls Drive, Wilmington, Delaware, 19808, has been filed by the United States in conjunction with a complaint to recover damages under the False Claims Act, 31 U.S.C. § 3729, *et seq.*, and other causes of action. The United States seeks to attach the following property:

- 1) 32 Cornhill Street, Annapolis, Maryland 21401

Whereupon the Court, having considered the application for a Prejudgment Writ of Attachment against the property of Tombstone, and the supporting affidavits and exhibits, and being duly advised in the premises, finds that the requirements of 28 U.S.C. §§ 3101 and 3102 are satisfied. Accordingly,

A Writ of Prejudgment Attachment shall, and hereby does, issue against the aforesaid

described property of Tombstone.

The attachment shall not exceed property reasonable valued (including existing encumbrances) in excess of \$7,000,000.

Tombstone shall not sell, dispose of, mortgage, transfer the title of, or otherwise encumber the aforesaid described property, until further order of the Court.

DATED: This 4TH day of August, 2023.

/s/ M. Giron, Deputy Clerk

CATHERINE STAVLAS
CLERK, UNITED STATES DISTRICT COURT

